

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

IN RE APPLICATION

OF: MÖHWALD ET AL.

SERIAL NO. 09/674,541

FILED: NOVEMBER 02, 2000

FOR: COMPOSITION SUITABLE FOR ELECTROCHEMICAL CELL



T E R M I N A L D I S C L A I M E R

REGARDING

U.S. PATENT No. 6,632,561

Sir:

Your Petitioner, BASF Aktiengesellschaft, a corporation of Germany, having a place of business at 67056 Ludwigshafen, is the Assignee of the entire right, title and interest in and to pending application Serial No. 09/674,541, filed November 02, 2000, under Section 371, the assignment recorded in the Patent and Trademark Office on Reel 012430 Frame 0705, filed with the national stage application

Your Petitioner, by undersigned attorney, hereby disclaims the terminal part of any patent granted application Serial No. 09/674,541 which would extend beyond the expiration date of U.S. Patent No. 6,632,561, which patent is also owned by Petitioner.

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Your petitioner hereby agrees that any patent based on application Serial No. 09/674,541 shall be enforceable only for and during such period that the legal title of such patent shall be the same as the legal title to U.S. Patent No. 6,632,561, this agreement to run with any patent granted on application Serial No. 09/674,541, to be binding upon the grantee, its successors or assigns.

Petitioner also states that the invention disclosed and claimed in application Serial No. 09/674,541 and the invention disclosed and claimed in U.S. Patent No. 6,632,561 were commonly owned when the invention disclosed and claimed in the present application was made.